

REMARKS**Prior Art Rejection**

The office action concedes that the cited reference to Murakami does not teach deriving an integration time based on accumulated energy and determining an indicator of the ambient light on a display based on integration time. Final Rejection at page 4, lines 11-12.

The Board noted in its previous decision in this case that the mere fact that a reference that relates to controlling the brightness of a display teaches using "integration time to determine the intensity of the ambient light," still falls "one step short of converting that information in some way to a form useful for controlling display brightness." Board Decision at page 6.

The office action states that "it is conventional in the art to determine the level of ambient light by deriving an integration time of an image sensor based upon accumulated light energy and using the value of integration time as a determination of ambient light level as disclosed in Nishibe... ." The latest office action seems to concede that the same deficiency exists with respect to Nishibe, but continues to press the point despite the Board's instructions to the contrary. In other words, Nishibe only teaches measuring light intensity, not controlling display brightness. Therefore, reconsideration is requested.

It is asserted that Nishibe's technique would be performed over a wide dynamic range. But a display would not be outside and, thus, there is no need for a sensor with such a wide range.

The suggestion that Nishibe's technique would be faster than Murakami's is pure speculation. Nishibe does not relate to measuring screen brightness and could be applied across the screen as in Murakami. The argument that there would be no need to compute an average light level on the entire image plane in Nishibe is equally true of Murakami. But Murakami's use of the whole plane would be better and more accurate. There is no need for speed in the claimed application and there is no showing of any speed difference.

Section 112 Rejection


With respect to the Section 112 objection set forth in paragraph 6, it is indicated that the Examiner was unable to locate any discussion within the specification reciting the specific limitation that the detected ambient light is the ambient light on a display. It is not believed that

there is any such limitation in the claim. Instead, the claim calls for receiving an indicator of the ambient light on a display by accumulating energy into a plurality of sensors of an imager.

Therefore, reconsideration is requested.

Respectfully requested,

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